

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

STATE OF MICHIGAN,

Plaintiff,

v.

Case No. 13-14119-DT

REGINALD LENTON,

Defendant.

ORDER OF REMAND

On September 26, 2013, Defendant Reginald Lenton filed a "Notice of Removal," and paid the appropriate fee, to remove this case from 46th District Court in Oakland County, Michigan. The case was processed under the normal procedures and assigned to the undersigned judge. Thereafter, Defendant filed a "Voluntary Withdrawal of Action and Request for Return of Filing Fee." In his document, Defendant makes clear that he does not wish to pursue this removal (a removal which the court doubts was proper in the first place), and seeks rather to abandon the federal proceedings. Defendant also requests a return of his filing fee. While the court will allow the abandonment of the purported removal and order the case remanded, Defendant cites no authority for his request for a refund of the filing fee. The fee is assessed at filing, and takes into account the clerical work expended to open a case, assign a judge, and process the case. While the case is relatively new, there is no procedure by which new cases are entitled to any refund simply because the initiator no longer wishes to pursue it. Accordingly, his request for a refund is denied, but, the matter will be remanded.

IT IS ORDERED that this case is REMANDED to 46th District Court in Oakland County, Michigan.

s/Robert H. Cleland
ROBERT H. CLELAND
UNITED STATES DISTRICT JUDGE

Dated: October 24, 2013

I hereby certify that a copy of the foregoing document was mailed to counsel of record on this date, October 24, 2013, by electronic and/or ordinary mail.

s/Lisa G. Wagner
Case Manager and Deputy Clerk
(313) 234-5522